

Rule 73.1. Documents in an Action Described in 28 U.S.C. § 1581 (a) or (b)

Upon service of the summons on the Secretary of Homeland Security, the appropriate customs officer shall forthwith transmit the following items, if they exist, to the clerk of the court, as part of the official record of the civil action:

- (1) consumption or other entry and the entry summary;
- (2) commercial invoice;
- (3) special customs invoice;
- (4) copy of protest or petition;
- (5) copy of denial, in whole or in part, of the protest or petition;
- (6) importer's exhibits;
- (7) official and other representative samples;
- (8) any official laboratory reports; and
- (9) copy of any bond relating to the entry.

If any of the items do not exist in a particular action, an affirmative statement to that effect shall be transmitted to the clerk of the court as part of the official record.

PRACTICE COMMENT: Pursuant to the renumbering of the Rules, the former Rule 70 now will be identified as Rule 73.1. New Rule 70 is “Reserved.”

(Added Sept. 30, 2003, eff. Jan. 1, 2004.)